

1905-001 Chancery Causes: Gdn. of M. B. Reese & by vs M. B. Reese & Co.
Lee Co.

Cooper, Garrison, Palmer, Morris, Daugherty

-Deed

CA - Estate Dispute

T - Property

To the Honorable H.A.W.Skeen, Judge of the Circuit Court of Lee County, Virginia:

Your orator, E.M.Cooper, guardian for M.B.Reese, E.H.M.Reese, Bessie Reese and W.R.E.Reese, infant heirs at law of Richard P.Reese and Louisa C.Reese, respectively, deceased, would respectfully represent to the said Court that, by deed dated March the 13th, 1825, and recorded in the Clerk's Office of the Lee County Court in Deed Book 23, page 136, one Joshua N.Redwine and Elizabeth his wife conveyed to the said Richard P.Reese and Lisey C.Reese his wife, who is the same person as the said Louisa C.Reese above named, a certain tract of land, lying in the Crab Orchard in Lee County, Virginia and containing, as stated therein, about 35 acres more or less, a copy of which said deed will be filed herewith marked "A" as part hereof, if deemed necessary; that afterwards, to-wit, on the ___ day of ___, 18___, the said Richard P.Reese died intestate, and that on the ___ day of ___, 18___ the said Lisey C.Reese died intestate, and left as their heirs at law, Rebecca A.Reese, who married one G.M.Garrison, L.E.Reese, M.B.Reese, E.H.M.Reese, Bessie Reese and W.R.E.Reese, all of whom were infants under the age of twenty-one years old, to whom said tract of land descended; that at the December term, 1895, of the County Court for Lee County, Virginia, and on the 16th day of ~~November~~ ^{December}, 1895, your orator, by an order of said Court, was appointed guardian for the said infant heirs at law of the said Richard P.Reese and Lisey C.Reese, respectively, deceased, except as guardian for M.B.Reese, who was omitted in said order, although he was in fact at said time, appointed guardian for the said M.B.Reese, and that at the July term, 1902, of the said County Court, on the 21st day of July, 1902, by an order of said date, of said Court, your orator was appointed guardian for the said M.B.Reese, and under each of said orders of appointment, as aforesaid, your orator executed bond as required by law, copies of which said orders of appointment and of said bonds will be filed herewith marked "B", "C", "D", and "E" respectively, if deemed necessary; that by a recent survey of said tract of land it contains 24.60 acres only, and a copy of which said survey is herewith filed as part hereof,

marked "F"; that Rebecca A. Garrison, nee Reese, after attaining the age of twenty-one years, together with her husband, G.M. Garrison, by deed dated May the 13th, 1893, sold and conveyed her undivided one-sixth interest in said tract of land to your orator in his own right, and that the said L.E. Reese after attaining the age of twenty-one years, and Alpha, his wife, by deed dated February, 17th, 1900, sold and conveyed his undivided one-sixth interest in said tract of land to your orator in his own right.

Your orator will now state to the Court that said tract of land is entirely surrounded by the lands of one Calvin Pardee, and has never been partitioned between the owners thereof; that it is mostly cleared and that from its peculiar situation, and being such a small area the coal thereon or in said land could not be leased to any advantage, and that the only benefit that the owners derive therefrom is a small rent that it can be rented for as said land is not productive for agricultural purposes, and that a partition in kind of said tract of land between the present owners would not be desirable or to their benefit.

Your orator will further state to the Court that, by deed dated July 13th, 1902, he and his wife sold and conveyed his one-third undivided interest in said tract of land to one Calvin Pardee of Philadelphia, Pennsylvania, for the price of \$20.00 per acre, cash, and that he is informed and advised that he can sell the interests of his four wards, to-wit, M.B. Reese, E.H.M. Reese, Bessie Reese and W.E.E. Reese at the price of \$20.00 per acre, cash, in said tract of land, and in addition thereto, the proposed purchaser will pay the costs of this suit, the Commissions of sale of said interests and the attorney's fee for bringing and prosecuting this suit; and that by such a sale of the interests of his said last named wards in said land, the interests of his said wards, he thinks, and states to the Court, would be promoted, and the money arising therefrom loaned or invested in other property for them; that this is all the real estate that his said wards own, that he knows of, and that the only personal property they

have, known to him, is what he has in his hands as their guardian, which is \$ 80 00.

Your orator further states to the Court that the said M.B.Reese is eighteen years old and E.H.M.Reese is fifteen years old, and both reside in Madison County, Kentucky; that the said Bessie Reese is thirteen years old and lives in Lee County, Virginia, and that the said W.R.E.Reese is ten years old and resides in Harlan County, Kentucky that if either one, or any or all of said four last named wards were dead, their said brothers and sisters, surviving them, as stated in said bill as aforesaid, would be their respective heirs at law and distributees.

The object, therefore, of this bill is to sell the undivided one-sixth interest of each of the said M.B.Reese, E.H.M.Reese, Bessie Reese and W.R.E.Reese in the said tract of land, and the money arising therefrom loaned or invested in other property for them.

The prayer, therefore, of this bill is, that the said M.B. Reese, E.H.M.Reese, Bessie Reese, W.R.E.Reese, Rebecca A.Garrison and L.H.Reese, be made parties defendant to this bill, and be required to answer the same; that the said Rebecca A.Garrison and L.H.Reese need not answer under oath, an answer under oath being waived as to them, but an answer under oath is required of M.B.Reese and E.H.M. Reese, being infants over the age of fourteen years old; that a guardian ad litem be appointed to represent the said M.B.Reese, E.H.M. Reese, Bessie Reese and W.R.E.Reese, the said infant defendants in this suit, and who is required to answer under oath for them; that the said undivided one-sixth interest of each of the said M.B.Reese, E.H.M.Reese, Bessie Reese, and W.R.E.Reese in said tract of land be decreed to be sold, and the money arising therefrom loaned or invested in other property for them; that an order of publication be duly made, posted and published against the said M.B.Reese, E.H.M.Reese, W.R.E. Reese and L.H.Reese, who are non-residents of the state of Virginia. And for all other, further and general relief as is agreeable to equity and suitable to their case. May spa. issue &c. And your orator will ever pray &c.

Buditt Kelly & Hull, Attys
B. H. Sewell, Jr.,

Wise
Virginia, ~~Lee~~ County, to-wit:

I, *J. W. Chalkley*, a *Notary Public*
in and for the County and State aforesaid, do certify that E.M. Cooper
guardian for M.B. Reese, E.H.M. Reese, Bessie Reese and W.E.E. Reese,
plaintiff in the foregoing bill, personally appeared before the under-
signed and made oath in due form of law that the matters and allega-
tions in the foregoing bill are true in so far as made upon his own
knowledge, and in so far as made on information derived from others,
he believes to be true.

Given under my hand, this the *3rd* day of *October*, 1902.

*My term of office expires
Jan'y 31st, 1906.*

J. W. Chalkley
N. B. Wise *Co. Va.*

E. M. Cooper Guardian for the

vs Original Bill.

M. B. Reese et al.

1902. 1st October rules held
filed ~~Spa not held~~

ans Guardian ad litem appointed
for non-residents

1902 2nd Oct alias Spa accepted
by Rebecca A. Harrison
+ Bessie Reese + O. P.

C for non residents and
D. N.

" 1st Nov rules held the
last Monday in Oct

D. N. Confd O. P. Complete

+ Cause set for hearing

Costs:

M. Clerk \$8.52

Ewing " 4.53

+ Shff. 1.00

G. A. L. 5.00

Wits. 1.50

N. P. 1.50

Printer 8.20

Atty 15.00

\$45.25

Shff. .50

\$45.75

Costs:

covered Spt 6, 1903:

Shff. 20

Clerk 4.19

\$24.19

To the Hon. H. A. W. Skeen, Judge of the Circuit Court
for Lee County, Virginia.

The separate answer of E.H.M. Reese, an infant over the
age of fourteen years, to a bill filed against him and others
in the said court by E.M. Cooper, his guardian.

Respondent says that it is his understanding and belief
that the said E. M. Cooper is his legally appointed guardian,
and also the guardian of the other infant defendants mentioned
in said bill, and he supposes that it is true that he, the said
Cooper, was appointed his guardian at the time, and in the manner
stated in said bill; that your respondent is over the age of four-
teen years old; that he has had explained to him the object of
this suit, and that he has had read to him the said bill, and he
hereby admits the truth of the allegations in said bill; that
he believes that a sale of his one undivided sixth interest in
the said tract of land mentioned in the said bill would be ben-
eficial to him, and that his interest would be promoted by a sale
of his said interest in said land at the price therein stated;
that he is willing to sell said interest in said land at Twenty
(\$20.00) dollars per acre, net to him, and desires the court
to decree a sale of his said interest in said land at the price
of Twenty (\$20.00) dollars per acre, net to him.

And now having answered said bill as fully as he is advised
that it is material for him to answer, your respondent prays to
be hence dismissed with his reasonable cost in this behalf
expended. And he will ever pray &c.

E H M Reese

State of Kentucky,

County of Madison, to-wit:

I, James L. Sours, a notary public in and for
the county and state aforesaid, do certify that E. H. M. Reese
whose name is signed to the foregoing answer, personally appeared
before me, the undersigned, and made oath in the due form of law,

that the matters and allegations in the foregoing answer are true in so far as made upon his own knowledge, and in so far as made upon the information derived from others he believes to be true.

Given under my hand and notarial seal, this the 20 day of April, 1905.

My term of office expires on the at the end of the next session of the Senate day of , 19 .

James C. Lounsbury

N.P.

*Chas. C. Lounsbury
of Madison Co Ky,*



Mr. B. Reese et al
Advs { Answer of
 { E. H. M. Reese and
 { agent over 14 years old.
E. M. Cooper Decatur, Ga.

Filed in open Court,
and by leave thereof.
This May 17th, 1905.

H. L. T. King,
Clerk.

To the Honorable H.A.W.Skeen, Judge of the Circuit Court for Lee County, Virginia:

The answer of M. B. Reese, E. H. M. Reese, Bessie Reese + W. R. E. Reese, infants under the age of twenty one years, by Geo. P. Gridlin, their guardian ad litem assigned to defend them in this suit, to a bill of complaint exhibited against them and others in this Honorable Court by E. M. Cooper Guardian &c.

The respondents reserving to themselves the benefit of all just exceptions to the said bill, for answer thereto, or to so much thereof as they are advised that it is material they should answer, by their said Guardian ad litem answering they say:-

That they are infants of tender years, and by reason of their infancy, are incapable of understnading, or of taking care of their rights and interests. They therefore by their said guardian, commend themselves and their rights and interests to the protection of the Court, and pray that no decree may be pronounced which will tend to their prejudice.

And having fully answered, the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended. and they will ever pray &c.

Geo. P. Gridlin
Guardian ad litem for M. B., E. H. M., Bessie,
and W. R. E. Reese.

Virginia, Lee County, to-wit:

This day personally appeared before me, A. P. Munsey, Clerk of the Circuit Court for Lee County, Virginia, Geo. P. Gridlin, Guardian ad litem for M. B. Reese, E. H. M. Reese, Bessie Reese + W. R. E. Reese whose answer is written above, and made oath that the statements contained in said answer, so far as made of his own knowledge are true, and so far as made from knowledge or information derived from others, he believes to be true.

Given under my hand this the 8th day of October, 1902.

A. P. Munsey Clerk.

E. M. Cooper Guardian

Ans G. A. L.

M. B. Reese et als

1902 1st October rules
filed,

A. B. Munsey clerk

To the Hon. H.A.W.Skeen, Judge of the Circuit court
for Lee County, Virginia:

The separte answer of M.B .Reese, an infant over
the age of fourteen years, to a bill filed against him and
others in a said court by E.M.Cooper, his guardian.

Respondent says it is his understanding and belief that
the said E.M.Cooper is his legally appointed guardian, and also
the guardian of the other infant defendants mentioned in said
bill, and he supposes that it is true that he, the said
Cooper, was appointed his guardian at the time, and in the man-
ner stated in said bill; that your respondent is over the age of
fourteen years; that he has had explained to him the object of
this suit, and also has had explained to him the allegations of
said bill as therein set out, and he hereby admits the truth
of the said allegations in said bill; that he believes that
a sale of his one undivided sixth interest in the said tract of
land mentioned in the said bill, would be beneficial to him,
and that his interests would be promoted by a sale of his said
interest in said land at the price therein stated; that he is
willing to sell his said interest in said land at the price of
twenty (\$20.00) dollars, per acre, net to him, and desires the
court to decree a sale of his said interest in said land at the
price of twenty (\$20.00) dollars, net to him.

And now having answered said bill as fully as he is ad-
vised that it is material for him to answer, your respondent pr-
ays to be hence dismissed with his reasonable cost in this be-
half expended. And he will ever pray &c.

M. B Reese

WEST VIRGINIA,

MARSHALL COUNTY, to-wit:

I, M.B. Reese, a notary public in and for the county and state aforesaid, do certify that M.B. Reese whose name is signed to the foregoing answer, personally appeared before me, the undersigned, and made oath in due form of law, that the matters and allegations in the foregoing answer are true in as far as made upon his own knowledge, and in so far as made upon the information derived from others, he believes to be true.

Given under my hand and notarial seal this the 9th day of December, 1902.

My term of office expires on the — day of —, 19—.
no fixed time

M.B. Reese N.P.
M. Mechem
W. Va.

M.B. Reese et al,

Ans^r of
Add { M.B. Reese, and
infant over 17 years old,

E.M. Cooper Guardian

Filed in open Court
and by leave thereof
March 7th 1903,

A.B. Munsey Clerk

Circuit Court for Lee County.

E. M. Cooper, Guardian for, &c.,

Plaintiff.

v.

Decree Final.

M. B. Reese, et al.,

Defendants.

This cause came on again this the 18th day of December, 1905, to be again heard upon the papers formerly read herein, and the report of Special Commissioner D. C. Sewell of the disbursements made by him under the decree of September 25th, 1905, ^{*this day filed in the Cause*} and was argued by counsel.

And it appearing to the Court that there are no exceptions filed to the said report of said Commissioner D. C. Sewell of the disbursements therein made, it is adjudged, ordered and decreed that the said report and the disbursements therein made be, and the same are, hereby approved and confirmed. Said report shows that the sum of Eighty Two Dollars, amount in full going to the infant defendant, E. H. M. Reese, for his ^{*undivided*} one-sixth interest in the tract of land herein sold, was paid to E. M. Cooper, guardian for the said E. H. M. Reese, and for which the said Cooper, Guardian, is now responsible; and also that proper disbursements of the costs of suit and commissions of sale have been made. And it is further adjudged that the said special Commissioner, D. C. Sewell, is hereby relieved from further responsibility herein, and there being nothing further to be done herein, this cause is stricken from the docket.

E. M. Cooper Guardian for etc.

vs { Deere & Sons

M. B. Reese et al.

Entered in C. O. B.
No. 8, page 110 &c.

Enter this,
Dec, 18th 1905,
Hawson

E.M.Copper, Guardian for &c. ----- Plaintiff.

vs.

In Chancery.

M.B.Reese et al, ----- Defendants.

This cause came on, ^{again} this the 25th day of September, 1905, to be again heard upon the papers formerly read in the cause, and the report, of ~~the~~ ^{Special} Commissioner, *D.C. Sewell*, of the deed, filed in the cause on the 25th day of September 1905, and was argued by counsel.

And it appearing to the Court that there are no exceptions filed to the said report of said Special Commissioner *D.C. Sewell*, or to the deed, filed with said report, conveying the undivided one-sixth interest of the infant defendant, E.H.M.Reese in the tract of land therein described to the purchaser thereof, Calvin Pardee, as directed by the said decree of September the 19th 1905, it is adjudged, ordered and decreed that the said report, and the deed, filed therewith, of the said Special Commissioner, *D.C. Sewell*, be and the same are each hereby approved and confirmed; and it is further ordered that the Clerk of this Court deliver said deed to the said Calvin Pardee or his attorney, so that the same may be recorded, upon the payment to the said Commissioner *D.C. Sewell* the sum of \$5.00 for making said deed.

And it appearing to the Court that the said ~~E.M.Cooper~~, Guardian ~~for~~ ^{of} his said ward, gave a sufficient bond as guardian when he was appointed guardian for said ward by the County Court for Lee County, Virginia, it is further ordered that the said Special Commissioner D.C.Sewell pay the purchase money, \$82.00, going to the said infant defendant, E.H.M.Reese, for his said interest sold in this cause, to his Guardian E.M.Cooper, the plaintiff in this suit, and said Guardian shall keep said sum of money, when received by him, loaned ^{That said Special Commissioner D.C. Sewell} at compound interest as required by law, with proper security, and pay ^{accumulated} to the parties entitled thereto the costs of this suit, and the commissions of sale, which said costs and commissions of sale, and said sum of \$82.00 to be paid to the said Guardian for his said ward, are all shown by the said Special Commissioner D.C.Sewell's report filed in the cause September the 4th 1905, and also by a decree of this court of September the 19th 1905. Said Special Commissioner D.C.Sewell

will take receipts for all of the said disbursements and duly report
said disbursements to the next term of this Court.

And this cause is continued.

E. M. Cooper Guardian for &c.

vs { Decree Confirming
deed & directing
disbursements

M. B. Reese et al.

Entered in C. O. B. 8

fs. 78. &c.

Enter this,

Sept. 25th 1905.

H. A. W. Skene

Circuit Court of Lee County.

E. M. Cooper, Guardian for, &c,

Plaintiff,

vs

In Chancery.

M. B. Reese, et al,

Defendants.

This cause came on again this the 19th day of September, 1905, to be again heard upon the papers formerly read in this cause, and the report of ~~the~~ sale of Special Commissioner D. C. Sewell, filed in the cause on the 4th day of September, 1905, and was argued by Counsel;

And it appearing to the Court that the said report of the said Special Commissioner has been filed for more than ten days before the first day of this term of court, and no exceptions have been filed thereto, it is adjudged, ordered and decreed that the said report and the said sale of the interest in the tract of land therein made by the said Special Commissioner, be, and the same are, each hereby approved and confirmed.

And it further appearing to the Court from the said report that Calvin Pardee became the purchaser of the undivided one-sixth interest of the infant defendant, E. H. M. Reese, in the tract of land in the bill and proceedings mentioned, containing 24.60 acres, at the price of Twenty Dollars per acre, which amounts to Eighty Two Dollars, which said sum, and the accumulated costs, \$4.69, and commissions of sale, amounting to \$4.33, have all been paid by the purchaser, Calvin Pardee, to the said Special Commissioner, D. C. Sewell, as appears from said report, which payment the said purchaser made under the provisions of the decree of this Court of May 17th, 1905, and that the said purchaser has satisfied the attorney for the plaintiff for bringing this suit, and all of his charges, and the surveyor for surveying said land, and complied with said decree and terms of sale in ^{all} other respects;

And it further appearing that Calvin Pardee, purchaser of the said interest of the said infant defendant, in the said tract of land, is now entitled to a deed therefor; it is further adjudged, ordered and decreed that *D. C. Sewell* be, and he is hereby, appointed a

Special Commissioner for the purpose, who will make, sign and acknowledge a deed, with covenants of Special Warranty, conveying to the said Calvin Pardee the undivided one-sixth interest of the said infant defendant, E. H. M. Reese, in and to the said tract of land, containing 24.60 acres, mentioned and described in the Bill and proceedings in this cause, and describe the said tract of land by the description shown by Exhibit "F" filed with the bill in this cause, and duly report said deed to some future day of this term of court, and until the coming in of said report, this cause is continued.

E. M. Cooper, Guardian for, &c.

o {

Decru confirming
Report of Sal.

M. B. Reese, Sal,

Entered in C. O. B. &
page 70 etc.

Enter This -
Sept. 19th 1905.

J. A. W. Stuen

VIRGINIA,

At a Circuit Court continued and held for Lee County, at the Court-house thereof, on Wednesday the 17th day of May, 1905.

E. M. Cooper Guardian for etc.

Plff.

Vs. In Chancery

M. B. Reese et al

Defts.

Upon the calling of this cause on this the 17th day of May, 1905, on motion of E. H. M. Reese, one of the defendants herein, leave is granted him to file his answer ~~ef~~ in this cause, which is accordingly filed in the cause, Whereupon this cause came on this the 17th day of May, 1905, to be again heard upon the papers heretofore read in the cause, and the answer of the said E. H. M. Reese, one of the infant defendants over the age of fourteen years, and under twenty-one years, filed in the cause as aforesaid, and was argued by counsel. On consideration whereof, and it appearing from the evidence filed in this cause, that the interests of the said infant defendants will be promoted by a sale of his interest in the tract of land set out in the bill in this cause and the court being of opinion that the rights of no person will be violated in so decreeing, it is adjudged, ordered and decreed that the undivided one-sixth interest of the said infant defendant, E. H. M. Reese, in the tract of land in said bill and the proceedings herein mentioned and described be sold.

And it is further adjudged, ordered and decreed that D. C. Sewell be and he is hereby appointed A Special Commissioner for the purpose of making said sale of the said interest of the infant, E. H. M. Reese, in said tract of land, in the manner and upon the terms as follows: Said sale shall be made at the front door of the Court-house of Lee County, Virginia, at public auction, to the highest bidder, for one-third cash in hand paid, and the residue on one and two years time, for which bonds shall be executed to the said Commissioner by the purchaser with approved personal security, bearing interest from the date of sale, and also for such cost as may have been incurred in making this sale, and Commissioner of sale shall be paid in hand, and a lien shall be retained on the said interest

in said tract of land as additional security for the said deferred payments, provided, however, if the purchaser so desires, he may pay the whole of the purchase money in cash, after having advertised the time terms and place of sale for at least thirty days prior thereto, by posting written or printed notices of the same at three or more public places, in said County one of which shall be at the front door of the Court-house of said County, and one shall be in the vicinity of said land. Said Commissioner, before proceeding to execute this decree shall execute bond before the Clerk of Court in the penalty of \$200.00, conditioned to duly perform his duties herein according to law.

Said Commissioner will report his action herein to the next term of this Court, and this cause is continued.

A Copy-Teste:

W. H. T. Ewing

Clerk.

E. M. Cooper Esq.

vs. Deere

M. B. Reese et al

~~~~~

Executed by Sheriff

Deere on D. C. Sewell

M. D. Denny ~~at~~ D. S.

Sheriff 50

Copy

Clerk 60¢



E. M. Cooper, Guardian for etc.

Plaintiff

vs.)

In Chancery

M. B. Reese et al.

Defendants.

Upon the calling of this cause on this the 17th day of May, 1905, on motion of E. H. M. Reese, one of the defendants herein, leave is hereby granted him to file his answer in this cause, which is accordingly filed in the ~~cause~~ <sup>and</sup> Whereupon this cause came on this ~~the~~ 17th day of May, 1905, to be again heard upon the papers heretofore read in the cause, the answer of the said E. H. M.

Reese, one of the infant defendants over the age of fourteen years, <sup>and under twenty one years,</sup> filed in the cause as aforesaid, and was argued by counsel. On con-

sideration whereof, and it appearing from the evidence filed in this cause, that the interests of the <sup>said</sup> infant defendant, ~~in the said~~

~~of said interest in the bill in this cause,~~ <sup>of his interest in the tract of land set out in the bill in this cause,</sup> will be promoted by a sale thereof and the Court being of opinion that the rights of no

person will be violated in so decreeing. It is adjudged, ordered, and decreed that the undivided one-sixth interest of the said infant defendant, E. H. M. Reese, in the tract of land in said bill and the proceedings herein mentioned and described, be sold.

And it is further adjudged, ordered and decreed that D. C. Sewell be and he is hereby appointed a special Commissioner for the purpose of making said sale of the said interest of the infant, E. H. M. Reese, in said tract of land, in the manner, and upon the terms as follows; Said sale shall be made at the front door of the Court-house of Lee County, Virginia, at public auction, to the highest bidder for one-third cash in hand paid, and the residue on one and two years time, for which bonds shall be executed to the said Commissioner by the purchaser with approved personal security bearing interest from the date of sale, and also for such cost as may have been incurred in making this sale, and commissions of sale shall be paid in hand, and a lien shall be retained on the said interest in said tract of land as additional security for the said deferred payments, provided, however, if the purchaser so desires, he may pay the whole of the purchase money in cash, after having advertised the time, terms and place of sale for at least thirty days prior thereto, by posting written or printed notices of the same at three or more public places, in said County one



of which shall be at the front door of the Court-house of said County and one shall be in the vicinity of said land. Said Commissioner before proceeding to execute this decree shall execute bond before the Clerk of this Court in the penalty of \$200.00, conditioned to duly perform his duties herein according to law.

Said Commissioner will report his action herein to the next term of this Court, and this cause is continued.



E. M. Cooper, Gdn. for etc.

vs.

*Deed for sale  
of E. M. Reese  
interest in land*

M. B. Reese et al

*Entered in C.B.*

*No-8-1/2-357c*

*Enter this*

*H. A. W. Sherrin*

*May 17<sup>th</sup> 1905.*



E. M. Cooper Guard for etc  
against } In chg  
M. B. Reese et al }

This cause came on this day  
to be again heard upon the papers  
read and the report of disbursements  
made by special Comm. D. C. Sewell  
filed Dec. 20<sup>th</sup> 1904, to which there  
are no exceptions and was argued by  
counsel.

On consideration whereof, said report  
it is adjudged ordered and decreed that  
said report be & the same is hereby  
confirmed. Said report showing the  
disbursements to E. M. Cooper as Guar-  
dian for the infant defendants M. B.  
Reese, Bessie Reese and W. R. E. Reese  
amounting to \$246<sup>00</sup> for which said  
E. M. Cooper is responsible as said  
guardian is approved and confirmed.

And said report also showing the  
disbursements of the costs herein is  
also approved and the said Comm.  
D. C. Sewell is hereby relieved from  
further responsibility herein. And  
this cause is continued.



E. M. Cooper guard -  
80

M. B. Reese et al

Entered C. O. B.

No. 7 Page 567.

Entered this

Dec 21<sup>st</sup> 1904 -

J. A. W. Dunn



E. M. Cooper, Guardian for &c. - - - - - Plaintiff.

vs.

In Chancery.

M. B. Reese et al - - - - - 2 - Defendants.

This cause came on again this the 23rd day of September, 1904, to be again heard upon the papers formerly read in the cause, and the report of Special Commissioner D.C. Sewell, of the deed filed in the cause on the 22nd day of September, 1904, and was argued by counsel.

And it appearing to the Court that there are no exceptions filed to the said report of said Special Commissioner D.C. Sewell, *Carrying the interests of the infants in the land to the purchase* or to the deed filed with said report, it is adjudged, ordered and decreed that the said report and the deed filed therewith, of the said Special Commissioner D.C. Sewell, be and the same are each approved and hereby confirmed; and it is further ordered that the Clerk of this Court deliver said deed to the said Calvin Pardee, or his attorney, so that the same may be recorded, upon the payment to the said Special Commissioner D.C. Sewell, the sum of \$5.00 for making said deed.

It is further ordered that the said Special Commissioner D.C. Sewell pay the purchase money \$246.00, going to the three infants to-wit, M.B. Reese, Bessie Reese and W.R.E. Reese to their guardian, E.M. Cooper, the plaintiff in this suit, but before receiving said sum of money for his said wards, he shall execute bond with proper *and* sufficient security before the Clerk of this Court in the penalty as additional security to the bonds heretofore executed by him of \$300.00, conditioned as required by law, and said guardian shall keep said sum of money when received by him, loaned at compound interest as required by law, with proper security. And it is further ordered that the said Special Commissioner D.C. Sewell will pay to the parties entitled thereto the costs of this suit and the Commissions of sale. The said Costs and Commissions of sale and said sum of \$246.00 to be paid to the said guardian for the said wards, are all shown by the said Special Commissioner D. C. Sewell's report filed in the cause September 8th, 1904, and also by a decree of this court of September 21st, 1904. Said Special

*Presented to Calvin Pardee, as directed by decree of Sept 21st 1904*



Commissioner D.C.Sewell, will take receipts for all of the said disbursements, and duly report said disbursements to the next term of this Court.

And this cause is continued.



E. M. Cooper Guardian for &c  
vs { Decree  
Confirming  
Deed & directing  
disbursements &c.  
M. B. Reese et al.

---

Entered C. B. No.  
7, page 525, &c.

Enter this,  
H. C. W. S. K. M.  
Sept. 23<sup>d</sup> / 1904.

And this case is continued.  
Term of this Court.

disbursements, and only report said disbursements to the next  
Commissioner D. C. Sewell, will take receipts for all of the said



Lee Circuit Court.

E. M. Cooper, Guardian ~~in~~ &c,

Plaintiff.

vs

In Chancery.

M. B. Reese, et al.

Defendants.

This cause came on again this the 21st day of September, 1904, to be again heard upon the papers formerly read in the cause, and the report of the sale of Special Commissioner D. C. Sewell, filed in the cause on the 8th day of September, 1904, and was argued by counsel:

And it appearing to the Court that the said report of the said Commissioner, D. C. Sewell, has been filed for more than ten days before the first day of this term of court, and no exceptions have been filed thereto, it is adjudged, ordered and decreed that the said report and the said sale of the interests in the tract of land therein made by the said Special Commissioner, D. C. Sewell, be, and the same are, each hereby approved and confirmed.

**from said report**

And it further appearing to the Court, that Calvin Pardee became the purchaser of the undivided one-sixth interest of each of the three infant defendants, viz, M. B. Reese, Bessie Reese and W. R. E. Reese in the tract of land in the bill and proceedings mentioned, containing 24.60 acres, at the price of \$20.00 per acre, which in the aggregate for said infants is \$246.00, which said sum, and the costs, \$45.75, and commissions of sale, amounting to \$14.58, have all been paid by the purchaser, Calvin Pardee to the said Special Commissioner, D. C. Sewell, as appears from said report, which payment the said purchaser made under the provisions of the decree of this Court of February 25th, 1904, and that the said purchaser has satisfied the attorney for the plaintiff for abstracting the title, his fee for bringing said suit, and the surveyor for surveying said land, **and complied with said decree and terms of sale in all other respects.**

And it further appearing that Calvin Pardee, purchaser of the said interests of the said three infants in said tract of land is now entitled to a deed therefor, it is further adjudged, **ordered** and



decreed that the said D. C. Sewell be, and he is, hereby appointed a special commissioner for the purpose, who will make, sign and acknowledge a deed, with covenants of Special Warranty, conveying to the said Calvin Pardee the undivided one-sixth interest of each of the said three infant defendants, viz, M. B. Reese, Bessie Reese and W. R. E. Reese in and to the said tract of land <sup>containing 24.60 acres</sup> mentioned and described in the bill and proceedings in this cause, and describe the said tract of land by the description shown by Exhibit "F" filed with the bill in this cause, and duly report said deed to some future day of this term of court, and until the coming in of said report, this cause is continued.



E. M. Cooper Guardian for us.

vs { Decree  
Confirming  
Report of sale  
etc.

M. B. Rine et al.

Entered Chcy Ct. B.

No. 7, Page 572.

Enter this

10 a. m. when

Sept. 21, 1904,



Virginia,

At a Circuit Court continued and held for Lee County, at the Court-house thereof, on Thursday February 25, 1904.

E. M. Cooper, Guard.

Plaintiff

vs ) In Chancery

M. B. Reese et al,

Defendants.

This cause came on this the 25th day of February 1904, to be heard upon the bill of the plaintiff and exhibits filed therewith upon process duly accepted by the resident defendants, Rebecca A. Garrison and Bessie Reese and an order of publication duly made posted and published as the law requires against the non-residents, M. B. Reese, E. H. M. Reese L. E. Reese, W. R. E. Reese the answer of M. B. Reese, one of the infant defendants over the age of fourteen years, filed in said cause by decree of Court dated March 7th 1903, the answer of G. A. P. Cridlin, guardian ad litem, duly assigned at rules to defend the defendants M. B. Reese, E. H. M. Reese, Bessie Reese and W. R. E. Reese who are infants under the age of twenty-one years which said answer was duly filed at rules, with general replication to said answer the depositions of witnesses, and was argued by counsel. And it appearing to the Court that the said Rebecca A. Garrison has been duly summoned by acceptance of service of summons, and that the said L. E. Reese has been duly proceeded against by an order of publication and that the said last two defendants have failed to appear, answer or demur to said bill, it is taken for confessed, as to them. On consideration whereof and it appearing from the evidence filed in this cause, that the interests of the infant defendants in the tract of land set out in said bill, will be promoted by a sale thereof and the Court being of opinion that the rights of no persons will be violated in so decreeing. It is adjudged, ordered and decreed that the undivided one-sixth interest of each of the said infant defendants viz: M. B. Reese, Bessie Reese, and W. R. E. Reese in the tract of land in said bill mentioned and described be sold. And it is further adjudged, ordered and decreed that D. C. Sewell be and he



is hereby appointed a special Commissioner for the purpose of making the said sale of the said interests of the said last three named infants in said tract of ~~land~~ in the manner and upon the terms as follows: Said sale shall be made at the front door of the Court-house of this County at public auction to the highest bidder for one-third cash in hand paid, and the residue on one and two years time for which bonds shall be executed to the said Commissioner by the purchaser with approved personal security, bearing interest from the date of sale, and also the costs of this suit and commissions of sale shall be paid in hand and a lien shall be retained on the said interests in said tract of land as additional security for the said deferred payments, provided however, if the purchaser ~~do~~ desires he may pay the whole of the purchase money in ~~cash~~ after having advertised the time, terms and place of sale for at least ~~thirty~~ days prior thereto by posting written or printed notices of the same at three or more public places in said County, one of which shall be at the front door of the Court-house of said County, and one shall be in the vicinity of said lands. Said Commissioner before proceeding to execute this decree shall execute bond with approved security before the Clerk of this Court in the penalty of \$600.00 conditioned to perform his duties therein according to law, and it appearing that one of the infant defendants E. H. M. Reese who is over the age of fourteen years has not answered herein it is ordered that his interest in said land be not now sold.

Said Commissioner will report his action herein to some future term of this Court, and this cause is continued.

A Copy,      Teste: Alfred E. Reese Clerk.



A copy, Teste: \_\_\_\_\_ Clerk.

term of this Court, and this cause is continued.

Said Commissioner will report his action herein to some future  
it is ordered that his interest in said land be not now sold.

Heese who is over the age of fourteen years has not answered herein  
to law, and it appearing that one of the instant defendants E. H. M.  
penalty of \$600.00 conditioned to perform his duty therein according  
bond with approved security before the clerk of this Court in the  
Minister before proceeding to execute this decree shall execute  
County, and one shall be in the vicinity of said lands. Said Com-  
one of which shall be at the front door of the Court-house of said  
notice of the sale at three or more public places in said County.

E. M. Cooper Guar.

<sup>73</sup>  
M. B. Rees et al

D. C. Sewell, Commissioner

Executed Mar. 29,

1904, by delivering  
a copy of the within

to D. C. Sewell in

P. M. Ball  
S. L. G.

Court-house of this County at public auction to the highest bidder  
terms as follows: Said sale shall be made at the front door of the  
named in front of said tract of land in the manner and upon the  
the said sale of the said interests of the said last three  
is hereby appointed a special Commissioner for the purpose of mak-



E. M. Cooper, Guardian for &c.

Plaintiff.

vs.

In Chancery

M. B. Reese, et al,

Defendants.

\*\*\*\*\*

This cause came on this the 25th day of February, 1904, to be heard upon the bill of the plaintiff and exhibits filed therewith, upon process duly accepted by the resident defendants, Rebecca A. Garrison and Bessie Reese, and an order of publication duly made, posted and published as the law requires against the non-residents, M. B. Reese, E. H. M. Reese, W.R.E. Reese, and L. E. Reese, the answer of M. B. Reese, one of the infant defendants over the age of fourteen years, filed in said cause by decree of court, dated March 7th, 1903, the answer of George P. Cridlin, Guardian ad litem, duly assigned at rules to defend the defendants, M. B. Reese, E. H. M. Reese, Bessie Reese, and W. R. E. Reese, who are infants under the age of twenty one years, which said answer was duly filed at rules, with general replication to said answer, the depositions of witnesses, and was argued by counsel. And it appearing to the court that the said Rebecca A. Garrison has been <sup>duly</sup> summoned by acceptance of service of summons, and that the said L. E. Reese has been duly proceeded against by an order of publication, and that the said last two defendants have failed to appear, answer or demur to said bill, it is taken for confessed as to them. On consideration whereof, and it appearing from the evidence filed in this cause, that the interests of the infant defendants in the tract of land set out in said bill, will be promoted by a sale thereof, and the court being of opinion that the rights of no person will be violated in so decreeing. It is adjudged, ordered and decreed that the undivided one-sixth interest of each of the said <sup>infant</sup> defendants, viz: M. B. Reese, Bessie Reese and W.R.E. Reese, in the tract of land in said bill mentioned and described, be sold. And it is further adjudged, ordered and decreed that D. C. Sewell be and he is hereby appointed a special commissioner for the purpose of making the said sale of the said interests of the said last



three named infants in said tract of land, in the manner, and upon the terms, as follows: Said sale shall be made at the front door of the court house of this county, at public auction, to the highest bidder, for one-third cash in hand paid, and the residue on one and two years time, for which bonds shall be executed to the said commissioner by the purchaser with approved personal security, bearing interest from the date of sale, and also the cost of this suit, and commissions of sale shall be paid in hand, and a lien shall be retained on the said interests in said tract of land as additional security for the said deferred payments, provided, however, if the purchaser so desires, he may pay the whole of the purchase money in cash, after having advertised the time, terms and place of sale for at least thirty days prior thereto, by posting written or printed notices of the same at three or more public places in said county, one of which shall be at the front door of the court house of said county, and one shall be in the vicinity of said land. Said commissioner, before proceeding to execute this decree, shall execute bond with approved security before the clerk of this court, in the penalty of \$600.00 conditioned to perform his duty herein according to law. And it appearing that one of the infant defendants, E. H. M. Reese, who is over the age of fourteen years, has not answered herein, it is ordered that his interest in said land be not now sold. Said Commissioner will report his action herein to some future term of this court, and this cause is continued.



1/6 undivided interest  
of each

M. B. Reese

Basis "

W.R.E. "

24.61

26

749 220

246.10

Richard P. Lacey

Reese

E. M. Cooper Guardian for ete

to { Decree  
for Sale.

M. B. Reese et al.

Entered C. O. B. No.

7. page 435

Enter this,  
Feb'y, 25<sup>th</sup> 1904,  
H. C. W. S. S.

1/6



E. M. COOPER GUARDIAN FOR &c.

PLAINTIFF.

VS

IN CHANCERY

M. B. REESE ET AL,

DEFENDANTS.

\*\*\*\*\*

Upon the calling of this cause on this the 7th  
day of March, 1903, on motion of M. B. Reese, one of the  
defendants herein, leave is hereby granted him to file his answer  
in this cause, which is accordingly filed, and this cause  
is continued.



M. B. Allen et al.,  
Ads of Decree filing  
of answer of  
M. B. Allen  
E. M. Cooper Guardian for &c.

---

Cent. Co B. 7. P. 247

Enter this,  
March 7<sup>th</sup> 1903.

H. C. W. Sheen



To M. B. Reese, E. H. M. Reese, Bessie Reese, W. R. E. Reese, infants under the age of twenty-one years, Rebecca A. Garrison, L. E. Reese, and George P. Cridlin, guardian ad litem for said infants:

You are hereby notified that on Monday, November, 3rd, 1902, at the depot of the L. & N. R. R. Co., at Olinger, Lee County, Virginia, I shall proceed to take the depositions of *W. S. Palmer* and others, to be read as evidence in my behalf in a certain suit in Chancery, depending in the circuit court for Lee County, Virginia, wherein I am plaintiff and you are defendants; and if from any cause the taking of the said depositions be not commenced, or if commenced, be not concluded on that day, the taking thereof will be adjourned from day to day, from time to time, and from place to place, until the same shall be completed.

This the 23<sup>rd</sup> day of October, 1902.

Respectfully,

*E. M. Cooper, Guardian for  
M. B. Reese, E. H. M. Reese, Bessie Reese,  
and W. R. E. Reese, infants under the  
age of twenty-one years of age,  
By Counsel,  
J*



E. M. Cooper Guardian ad litem

vs { Notice &  
to the depositions

M. B. Reese et al.

Legal service of the  
within notice is  
accepted. This the  
31<sup>st</sup> day of October 1902.

Rebecca A. Garrison

Witness

William M. Cornell



To M.B.Reese, E.H.M.Reese, Bessie Reese, W.R.E.

Reese, infants under the age of twenty-one years? Rebecca A.Garrison, L.E.Reese and George P.Cridlinguardian ad litem for said infants;

You are hereby notified that on Monday, November 3rd 1902, at the depot of the L.& N.R.R.Co., at Olinger, Lee county, Virginia, I shall proceed to take the depositions of W.S. Parmer and others, to be read as evidence in my behalf in a certain suit in chancery, depending in the Circuit Court ~~for~~ Lee county, Virginia, wherein I am plaintiff and you are defendants; and if from any cause the taking of the said depositions be not commenced, or if commenced, be not concluded on that day, the taking thereof will be adjourned from day to day, from time to time, and from place to place, until the same shall be completed.

This the 28th day of October, 1902.

Respectfully.

E. M. Cooper, Guardian for  
M. B. Reese, E. H. M. Reese, Bessie  
Reese, and W. R. E. Reese.

By Counsel.



E. M. Cooper Guardian for  
notice & take  
vs } depositions.

M. B. Reese et al.

Legal service of the  
within notice is  
accepted, this the  
29<sup>th</sup> day of October 1902.

Geo. P. Cridlin,  
Guardian ad litem  
for M. B. Reese, E. H. M.  
Reese, Bessie Reese  
and W. R. E. Reese.



The depositions of W. S. Palmer and  
others, taken before me, C. D. Bailey, a  
Notary Public for Lee county, Virginia, pur-  
suant to notice hereto annexed, at the depot of the L. & N. Rail-  
road Company, at Olinger, Lee county, Virginia, on the 3rd day  
of November, 1902, to be read as evidence in behalf of E. M. Cooper  
guardian for M. B. Reese, E. H. M. Reese, Bessie Reese and W. R. E. Reese  
in a certain suit in chancery depending in the Circuit Court  
for Lee county, Virginia, wherein E. M. Cooper, guardian for said  
infants is plaintiff and M. B. Reese E. H. M. Reese, Bessie Reese and  
W. R. E. Reese, infants under the age of 21 years, Rebecca Garri-  
sson and L. E. Reese are defendants, the said L. E. Reese being an  
adult non-resident defendant and an order of publication having  
been made against him in the said suit, no further notice has  
been given him for the taking of said depositions/

Present, B. H. Sewell of counsel for plaintiff,

Geo. P. Cridlin, guardian ad litem for M. B. Reese,  
E. H. M. Reese, Bessie Reese and W. R. E. Reese, The  
said infant defendants.

The witness W. S. Palmer being duly

sworn, deposes as follows:

Ques. 1. State your age, Occupation and place of  
Residence

Ans. Age 44, Occupation Land Agent, Residence Crab-  
Orchard Lee Co. Va.

Ques. 2 State whether or not you are acquainted with  
the tract of land described in the bill and ex-  
hibit 'A', therewith, containing 24.60 acres, lying in  
the Crab Orchard, Lee County Virginia, known as the  
A. P. Reese land, and if so how long have you  
known it and how far do you live from it,  
and how long have you been living there  
Ans. I know the land and have known it about eight years I  
live about three and one half miles from it and have



lived two and one-half years at this place  
During the eight years that I have known this  
land, I have had occasion frequently to observe it

Ques 3. Please describe this tract of land, giving its location with reference to lands owned by them, and state whether it is cleared or in woods, level or steep land.

Ans. This land is in the Crab Orchard Lee County Va.  
near the foot of the Little Black Mountain and is mostly  
hill side land and is surrounded by the lands of Calvin  
Parelee. It is most all cleared.

June 4. State whether or not said land is good for  
Cultivation, and whether or not Constant  
Cultivation will soon render it unprofitable  
or worthless, and whether or not said  
land could be partitioned among the  
present owners to their advantage, <sup>the women of the family</sup> the  
one owning  $\frac{1}{3}$  and the defendants, <sup>the women of the family</sup> the  
other  $\frac{2}{3}$ . in said land.

Ans I do not consider it good for cultivation, it is  
as it has been cultivated for a long time and about  
worn out. The rents must be small and if cultivation  
continues very much longer I doubt whether the rents  
would pay the taxes. I do not think that a part time  
of said land as above stated would be practicable  
or beneficial.

Ques 5. State whether or not said tract of lands  
could be leased as a Coal property.  
to the benefit of the present owners.

Ans. I do not think it could be leased as a separate coal property at all. The area is too small and none not owning adjoining lands would lease it. and the one owning adjoining lands could lease it alone indefinitely or <sup>not</sup> operate it at all. And the undivided two thirds interest of the defendant in said land <sup>the said words</sup> I feel sure could not be leased at all ~~for~~ as a coal property.

Quest 6. What would be a fair and reasonable  
Cork price, <sup>per acre</sup> for the undivided two thirds  
interest of the said Woods of the plaintiff in  
said tract of land.

Ans. I think twenty dollars per acre for said <sup>interest in</sup> land would be a very liberal price for said land.



J.

Ques. The plaintiff states in his bill that he is informed and advised that he can sell the said undivided two-thirds interest of his said words, viz. M.B. Reese & H.M. Reese, Bessie Reese, and M.A.E. Reese, in said tract of land, at the price of twenty dollars per acre, net for them, that is, the proposed purchaser paying all the Costs and Expenses of this suit to obtain the title to said interests in said land. I will now ask you to state whether or not such sale of said interests in said land, ~~would~~ and invest the money in other property, or loan it as the law requires for said words, would promote their interests.

Ans. I think the interests of the said parties the said words of the Plaintiff would be promoted by selling their interest in said land at twenty dollars per acre, whether it be invested in other property or loaned for their benefit as the law requires.

And further this deponent saith not.

N.S. Palmer

Witness Claims  
/ Day 50 cts.

Alexander Morris, another witness, being duly sworn, deposes as follows:

Ques. 1. State your age, occupation and place of residence.

Ans. My age is sixty years, Occupation a farmer. I live in the Crab Orchard Lee County Va.

Ques 2. State whether or not you know the tract of land described in the bill & Exhibit "F" therein in this Cause, containing 24.60 acres, in the Crab Orchard, Lee Co. Va. known as the R.P. Reese Land, and if so, how long have you known it and how long have you always lived from it.



Ans. I know the land and have known it for forty years or longer and during all this time I have lived in a half mile of it.

Ques 3. Describe this land, giving its Character, location, and whether or not it is good for agricultural purposes.

Ans. It was old worn land when I first knew it, That is the most of it. It can not be made profitable by cultivation. The timber is about all gone. It is mostly a cleared hill side tract of land. It is situated near the foot of Little Black Mountain in the Crab Orchard Lee Co. Va and surrounded by the lands owned by Calvin Pardee.

Ques 4. State whether or not the undivided <sup>two thirds</sup> interest of the wards of the plaintiff <sup>said tract of land</sup> could be <sup>used</sup> as a Coal property.

Ans. I do not think it could.

Ques 5. State whether or not the said tract of land could be partitioned <sup>in kind</sup> among the present owners to their benefit.

Ans. I do not ~~think~~ <sup>so</sup> how it could be partitioned so as to be profitable to the owners.

Ques 6. State whether or not the <sup>undivided two thirds</sup> interests of the wards of the plaintiff, in said tract of land would be promoted by a sale thereof at the price of twenty dollars per acre net to them, and said money invested in other property or loaned for them as the law requires.

Ans. I think their interests would be promoted by such a sale for I think twenty dollars per acre for said land would be a fair and liberal price for their said interest in said tract of land.

And further this defendant saith not. his  
witness Elias P. Day, 50 Cto. Alexander Morris  
Mark



4)

B. F. Daugherty another witness, being duly sworn, deposes as follows:

Ques 1. State your age, Occupation and residence.

Ans. Age fifty one. Occupation a farmer live in the Crab Orchard Lee Co. Va.

Ques 2. State whether or not you know the R. P. Run tract of land in the Crab Orchard. Lee Co. Va. and described in the bill and Exhibit "F" therewith, and if so how long have you known it - and how far have you lived from it during said time.

Ans. I know said tract of land and have known for about eight years, and during said time I have lived from a mile to three miles from said tract of land.

Ques 3. I now read you questions nos. 3. 4. 5. 6 & 7. propounded above to Mr. W. S. Palmer. and the answers thereto, and ask you to state whether or not you can and will name the same answers to said questions.

Ans. I have just heard the said questions and answers read, and I can and do hereby make substantially the same answers to said questions. And further this deponent soath not.

Witness Cleius.  
/ Day 50cts.

B. F. Daugherty  
mark



Virginia, Lee County, to-wit:

I, C. D. Bailey, a Notary  
Public for the county of Lee, in said state, do  
hereby certify that the foregoing depositions of W. S.  
Palmer, Alexander Morris and  
B. F. Daugherty, were duly taken, sworn to,  
and subscribed before me, at the time and place, and for the  
purpose in the caption hereto mentioned.

Given under my hand this the 3<sup>rd</sup> day of November, 1902.

C. D. Bailey N. P.



E. M. Cooper, Guard r.  
vs. { Depositions  
M. B. Leue et al

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Cost

Witnesses \$1.50

N. P. \$1.50.

---

\$3.00

---

Received by mail  
in good condition  
and filed Nov 4<sup>th</sup>  
1902,

A. B. Munsey Clerk



E.M.Cooper, Guardian for &c. - - - - - Plaintiff  
vs. In Chancery.

M.B.Reese et al - - - - - Defendants.

To the Honorable H.A.W.Skeen, Judge of the Circuit Court of  
Lee County, Virginia:

Your undersigned Special Commissioner respectfully reports  
that, pursuant to the terms of the decree of said Court of September  
the 19th, 1905, entered in the above styled cause, he has made,  
signed and acknowledged a deed to the purchaser, Calvin Pardee  
for the undivided one-sixth interest of the infant defendant E.H.M.  
Reese in and to the tract of land sold by *your* Commissioner D.C.Sewell  
to said Calvin Pardee in said cause, and herewith files said deed with  
this report, marked Exhibit "DEED", and for which your Commissioner  
charges the fee of \$5.00.

This the 25th day of September, 1905.

Respectfully submitted.

D.C. Sewell  
Special Commissioner.



E. M. Cooper <sup>Special</sup> ~~Commissioner~~ <sup>Inspector</sup> for the  
vs { Report of Deed

M. B. Reape et al.

Filed  
Sept. 25<sup>th</sup> 1908.

J. H. P. Ewing, clk.



Circuit Court for Lee County.

E. M. Cooper, Guardian for, &c.,

Plaintiff.

v.

Commissioner's Report.

M. B. Reese, et al.,

Defendants.

To the Honorable H. A. W. Skeen,

Judge of the Circuit Court for Lee County, Virginia:

The undersigned, your Special Commissioner in the above styled cause, would respectfully report that, pursuant to the decree in said cause of September 25th, 1905, he has paid out to the proper parties the amount going to E. M. Cooper, guardian for the infant defendant, E. H. M. Reese, and the accumulated costs and commissions as follows:

(1), To E. M. Cooper, as guardian for the infant defendant, E. H. M. Reese, the sum of Eighty-Two Dollars, the amount ~~going to the said E. H. M. Reese~~ <sup>undivided</sup> for his one-sixth interest in the tract of land sold in said cause, and taken said guardian's receipt therefor, which is herewith filed, marked 1; (2) to the parties entitled thereto, the accumulated costs of Four Dollars and Sixty Nine Cents, being Fifty Cents to the Sheriff, and Four Dollars and Nineteen Cents to the Clerk, and taken receipts therefor, which are also filed herewith, marked respectively 2 and 3; and he has retained for himself the commissions of sale for said interest, being the sum of Four Dollars and Thirty Three Cents.

The said Commissioner now asks to be relieved of further responsibility herein.

Respectfully submitted, this the 18<sup>th</sup> day of December, 1905.

D. C. Sewell

Special Commissioner.



E. M. Cooper Guardian for et al.  
vs { Comins Report  
of disbursements,  
M. B. Reese et al.

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Filed Dec. 18, 1905.  
J. H. Ewing,  
Clerk.



J. E. M. Cooper Guardian

vs

M. B. Reese et al

To the Hon H. A. W. Speer, Judge  
of the Circuit Court of Lee County  
Va.

Your undersigned comes in the above  
Cause would respectfully report  
that after E. M. Cooper gave  
the bond as required in your Honor's  
decree as Guardian for the infant  
defendants herein that he paid  
over to him as guardian for M. B.  
Reese, Bessie Reese and E. M. R. E. Reese  
the funds in his hands as directed  
amounting to \$246<sup>00</sup> for which said  
Guardian becomes responsible. That  
he took said Cooper's receipt as  
Guardian for same which he files  
herewith for the Court's inspection -

He would further report that  
he has disbursed the costs herein  
as taxed by the clerk for which  
he files receipts & ~~now~~ now  
asks to be relieved from further  
responsibility herein.

Respectfully

D. S. Sewell

Specimen



E. M. Cooper Guard  
vs } Refute

Ms. 13. Reese et al

---

Filed <sup>Dec</sup> 20 - 1904

J. H. G. Ewing Clerk



E. M. Cooper, Guardian for &c. - - - - - Plaintiff.

vs. In Chancery.

M. B. Reese et al - - - - - Defendants.

To the Honorable H.A.W.Skeen, Judge of the Circuit Court of  
Lee County, Virginia:

Your undersigned Special Commissioner respectfully reports  
that pursuant to the terms of the decree of said Court of Septem-  
ber the 21st, 1904, entered in the above styled cause, <sup>he</sup> ~~has~~ made  
signed and acknowledged a deed to the purchaser, Calvin Pardee  
for the undivided one-sixth interest of each of the infant defend-  
ants, viz. M.B.Reese, Beesie Reese and W.R.E.Reese, in and to the  
tract of land sold by your said Commissioner to said Calvin Pardee  
in said cause, and herewith files said deed with this report marked  
Exhibit "DEED", and for which your Commissioner charges the fee  
of \$5.00.

This the 22nd day of September, 1904.

Respectfully Submitted,

D. F. Sewell  
Special Commissioner.



E. M. Cooper <sup>Guardian for</sup>  
vs { Special Commissioner  
Report of Decd.  
M. B. Rice et al.

Filed Sept 22nd  
1904. H. T. Ewing  
Clerk

Respectfully Submitted,

Special Commissioner.

This for 3rd day of September, 1904.

of 18.00

For which your Commissioner charges the fee  
of sixteenth files said deed with this report marked  
your said Commissioner to said Calvin Perdue  
beside these and U. P. H. Reese, in and to the  
one-sixth interest of each of the infant defend-  
ants a deed to the purchaser, Calvin Perdue  
entered in the above styled cause, has been made  
the terms of the decree of said Court of Septem-  
ber 1904. Special Commissioner respectfully reports

The Court, Virginius:

In the Honorable J. A. W. Skeen, Judge of the Circuit Court of

M. B. Rice et al. - - - - - Defendants.

vs.

In Chancery.

E. M. Cooper, Guardian for decd. - - - - - Plaintiff.



# LAND SALE!

E. M. Cooper Guard. for etc

vs.

M. B. Reese et al

IN CHANCERY.

Pursuant to a decree rendered by the Circuit Court of Lee County, Virginia, at the February term, 1904, in the above styled cause, the undersigned will, at public outcry, at the front door of the Court-house of said county, on the 24<sup>th</sup> day of May 1904, term, 189...., of the County Court of said county, proceed to sell, to the highest and best bidder, on a credit of one and two years except one third of the purchase price and time, except so much as may be necessary to pay the cost of suit and expense of sale (which are required to be paid in hand), the following described property: The land in

the Bill & proceedings mentioned, lying in Lee County  
va in the Crab Orchard adjoining the land  
formerly owned by John Edens now Purdies. Said  
Tract was owned by Richard P. Reese and Louisa  
C. Reese, his wife, in their life time and the same  
descended to their heirs at law and the per-  
divided interests of M. B. Reese, Bessie Reese and  
W. R. E. Reese, infant heirs, will be sold, each  
owning a one sixth (1/6) part thereof and said  
Tract containing 24.60 acres.

For a more particular description of the foregoing property reference is here made to

the files of papers herein, the title thereto and  
E. M. Cooper.

Bonds with good and approved personal security will be required of the purchaser for the deferred pay-  
ments. This the 23 day of April, 1904.

D. C. Sewell.

Commissioner.

The bond required by law has been given,

J. C. Ewing  
By M. B. Hanover, Jr.

Clerk.



Notice Posted  
at front door  
of  
Court house -



E. M. Cooper, Guardian for et c.

Plaintiff.

vs.

In Chancery.

M. B. Reese et al

Defendants.

To the Honorable H.A.W.Skeen, Judge of the Circuit Court for Lee County, Virginia.

Your Undersigned Special Commissioner appointed by a decree entered in the above styled cause, February 25th, 1904, begs leave to report that pursuant to said decree he executed the bond required, and after advertising the undivided one-sixth interest of each of the infant defendants, viz: M.B.Reese, Bessie Reese, and W.R.E.Reese, in the tract of land in the bill mentioned and described in said cause, as was required by said decree, a copy of which said advertisement is herewith filed marked "A", he on the 24th day of May, 1904, that being a day of the Circuit Court for Lee County, Virginia, at the front door of the Courthouse of said County, at public auction, to the highest bidder, upon the terms directed by the said decree, offered said interests of the said infant defendants in said tract of land for sale.

At said time and place the undivided one-sixth interest of each of the said infant defendants, viz: M.B.Reese, Bessie Reese, and W.R.E.Reese in the tract of land in the bill and proceedings mentioned, containing 24.60 acres, was bid for by Calvin Pardee as follows: \$20.00 per acre, which your commissioner calculated to be \$246.00 net to the said three infants, in the aggregate; and in addition thereto, the cost of the said suit amounting to \$ 45 <sup>75</sup>/<sub>100</sub> the costs of survey, abstracting and bringing suit to sell said interests in said land, by said guardian, amounting to \$ \_\_\_\_\_, and the commissions of sale amounting to \$ 14 <sup>58</sup>/<sub>100</sub>. This was the highest and best bid offered. According<sup>ly</sup> said undivided interests of the said three infants in said tract of land were knocked down to the said Calvin Pardee at said price. The said Calvin Pardee, purchaser of said interests in said tract of land as aforesaid, as provided for under said decree of sale, desired to pay the whole of the purchase money for said interests in said land ~~and~~ and



has paid the whole of the purchase money for the said interests of <sup>three</sup> the said infants in the said land, and also the said costs of suit and commissions of sale to your Commissioner. He has also satisfied the attorney for the plaintiff for abstracting the title to the said tract of land, and his fee ~~for~~ Bringing said suit, as well as the surveyor for surveying said tract of land.

All of which is hereby respectfully submitted, this the 7th day of September, 1904.

D. C. Sawell  
Special Commissioner.



E. M. Cooper Guardian of  
vs. { Commission  
Report of Sale  
M. B. Reese et al.

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Filed Sept. 8, 1904,  
S. C. T. Ewing, Clk.



# LAND SALE!

E. M. Cooper Guardian for etc.  
vs.

M. B. Reese et al

IN CHANCERY.

Pursuant to a decree rendered by the Circuit Court of Lee County, Virginia, at the May term, 1905, in the above styled cause, the undersigned will, at public outcry, at the front door of the Court-house of said county, on the 2nd day of September 1905 term, 189 of the County Court of said county, proceed to sell, to the highest and best bidder, on a credit of one and two years time, except so much as may be necessary to pay the cost of suit and expense of sale

(which are required to be paid in hand), the following described property: The interest of E. H. M. Reese in the tract of land in the Bill of proceedings mentioned, being a 1/6 undivided interest in said land and said tract of land lying in the Crab Orchard, Lee County Va, being the same tract belonging to Richard P. Reese & wife in their life time having been conveyed to them by deed from Joshua N. Redwine & wife of record in the Lee County Court Clerk's office in Deed Book 23 page 186

For a more particular description of the foregoing property reference is here made to

Said Deed & the papers in the cause

Bonds with good and approved personal security will be required of the purchaser for the deferred payments. This the 24th day of July 1905, 189

D. C. Sewell Commisioner.

The bond required by law has been given, H. P. J. Ewing Clerk.



E. M. Cooper & Co  
61 } Sale Notice  
J. E. & M. Reese  
W. B. Reese & Co

---



E. M. Cooper Guardian for & C. Plaintiff.  
vs E. Incliz-  
M. B. Reese et al Defendants.

To the Hon. H. A. W. Skene, Judge of the Circuit Court for  
Lee County, Virginia.

Your undersigned <sup>special</sup> Commr. begs leave to report,  
that pursuant to a decree entered in the above  
styled cause, <sup>on the 17<sup>th</sup> day of May 1905,</sup> he executed the bond required and  
after advertising the undivided one-sixth interest  
of the infant defendant, E. H. M. Reese in the  
tract of land in the Bill & proceedings mentioned  
as was required by said decree, a copy of  
which said advertisement is herewith filed  
marked "B," he, on the 2<sup>d</sup> day of Sept.  
1905, at the porch door of the Court House of said  
County, at public auction, to the highest bidder,  
upon the terms directed by said decree,  
offered said interest of said infant defendant  
in said tract of land for sale.

At said sale the undivided one-sixth <sup>interest</sup> of  
said infant defendant, E. H. M. Reese in  
said tract of land was bid for by Calvin  
Purdee as follows, \$20<sup>00</sup> per acre, and in  
addition thereto the accumulated cost of  
work & cost of sale & all cost of fees  
& money now heretofore paid at the  
for mer sale - that is making it 20<sup>00</sup> <sup>per acre</sup> net  
~~and this being the highest and best bid offered by said Calvin Purdee for the purchase of~~  
~~said interest in said tract of land at said bid and price.~~  
to said infant. As there are 24.60 acres

in the whole of said tract your Commr  
calculates that said sale amounts  
to \$82<sup>00</sup> for said interest net to the  
infant; that the <sup>accumulated</sup> cost <sup>of work</sup> amounts to \$4<sup>69</sup>



and the commissions of sale amounts  
to  $\$4 \frac{33}{100}$ . The attorney ~~bring said~~  
bringing said suit & the surveyor  
acknowledge payment of their fees  
& costs, and the said Calvin  
Pardee purchaser of said interest  
preferring it, has paid to your <sup>Commissions</sup> and  
purchase price of  $\$82.00$  together  
with said cost of  $\$4.69$  & ~~his~~  
your Court. commissions of sale  
amounting to  $\$4 \frac{33}{100}$ . The said purchaser  
is therefore entitled to deed <sup>for said interest in said tract of land</sup> if the  
sale is confirmed, which your  
Court recommends to be done.  
Your Court holds said funds  
subject to your Honors orders but  
asks that he be allowed to pay it  
over to the Guardian at once -  
Sept. 4. 1905.

Respectfully submitted

D.T. Sewell

Spe. Court.



E. M. Cooper Guadalupe  
vol 3 Report of sale  
M. B. Reese et al

Filed Sept 4 - 1905 -

H. T. Ewing,  
Clerk.



This Deed, made this 18th day of July, 1902, by and between E. M. Cooper, widower, of Lee County, Virginia, party of the first part, and Calvin Pardee of Philadelphia, Pennsylvania, party of the second part, witnesseth:

That for and in consideration of the sum of One Hundred and Sixty-four Dollars (\$164.00) cash in hand paid by the said party of the second part to the said party of the first part, the receipt of which is hereby acknowledged, the said party of the first part does hereby grant, bargain, sell and convey unto the said party of the second part, one undivided one-third interest in and to all that certain tract or parcel of land lying in the Crab Orchard in Lee County, Virginia, and bounded as follows, to wit: Beginning at a rock at the bend of the road, corner to land formerly owned by John Edens, thence with a line of the said Edens' tract and along the public road N 46 2 E 51 poles to a white oak on the west bank of a branch; thence up said branch with Edens' land N 28 57 W 14.28 poles; N 25 3/4 W 10.08 poles to a rock near a house; N 36 1/2 W 15.62 poles to a rock; N 41 1/4 W 12.74 poles to a rock; N 45 25 W 27.90 poles to a maple; N 39 1/2 W 6.20 poles to a white oak; N 47 25 W 14.70 poles to a rock on the Slomp line and with same; S 55 W 31 poles to a chestnut oak on top of a ridge thence with E. M. Cooper's line S 63 1/4 E 14.40 poles; S 23 55 E 14.44 poles; S 42 1/4 E 11.42 poles; S 26 1/2 E 19.12 poles to a chestnut oak on top of a ridge; S 11 E 26.96 poles; S 24 1/2 E 25.38 poles to the beginning, containing 24.60 acres and being the same conveyed to the said E. M. Cooper by G. M. Garrison and wife, by deed dated May 18th, 1898, and by L. E. Reese and wife, by deed dated Feb. 17th, 1900.

To have and to hold the said undivided one-third interest in and to the said land together with its appurtenances unto the said party of the second part his heirs and assigns in fee simple forever



This Deed, made this 18th day of July, 1902, by and between E. M. Cooper, widower, of Lee County, Virginia, party of the first part, and Calvin Pardee of Philadelphia, Pennsylvania, party of the second part, witnesseth:

That for and in consideration of the sum of One Hundred and Sixty-four Dollars (\$164.00) cash in hand paid by the said party of the second part to the said party of the first part, the receipt of which is hereby acknowledged, the said party of the first part does hereby grant, bargain, sell and convey unto the said party of the second part, one undivided one-third interest in and to all that certain tract or parcel of land lying in the Crab Orchard in Lee County, Virginia, and bounded as follows, to wit: Beginning at a rock at the bend of the road, corner to land formerly owned by John Edens, thence with a line of the said Edens' tract and along the public road N 46 2 E 51 poles to a white oak on the West bank of a branch; thence up said branch with Edens' land N 28 57 W 14.28 poles; N 25 3/4 W 10.08 poles to a rock near a house; N 36 1/3 W 15.62 poles to a rock; N 41 1/4 W 12.74 poles to a rock; N 45.25 W 27.90 poles to a maple; N 39 1/2 W 6.20 poles to a white oak; N 47 25 W 14.70 poles to a rock on the Slomp line and with same S 55 W 31 poles to chestnut oak on top of a ridge; thence with E. M. Cooper's line S 63 1/4 W 14.40 poles; S 23 35 E 14.44 poles; S 42 1/4 E 11.42 poles; S 26 1/2 E 19.12 poles to a chestnut oak on top of ridge; S 11 E 26.96 poles; S 24 1/2 E 25.38 poles to the beginning, containing 24.60 poles, and being the same conveyed to the said E. M. Cooper by G. M. Garrison and wife, by deed dated May 18th, 1898, and by L. E. Reese and wife, by deed dated Feb. 17th, 1900.

To have and to hold the said undivided one-third interest in and to the said land together with its appurtenances unto the said party of the second part his heirs and assigns in fee simple forever



And the said party of the first part covenants with the said party of the second part that he will warrant generally the said land hereby conveyed; that he has done no act to encumber the same and has good right to convey the same; that the said party of the second part shall have quiet possession of the said land free from all encumbrances whatever; and that he, the said party of the first part will execute and cause to be executed such further assurances of the title to said land as may be requisite.

Witness the following signature and seal.

\_\_\_\_\_(Seal)

State of Virginia )  
                          ) S. S.  
County of Lee )

I, \_\_\_\_\_, a notary public in and for the state and county aforesaid, do hereby certify that E. M. Cooper whose name is signed to the foregoing deed dated on the 18th day of July, 1902, has acknowledged the same before me in my county aforesaid.

Given under my hand this \_\_\_\_\_ day of July, 1902.

My commissioner expires on the \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_. N. P.



Know all Men by these Presents, That we E. M. Cooper and  
E. H. Cecil

are held and firmly bound unto the Commonwealth of Virginia, in the sum of (\$300.00) Three  
hundred Dollars, to the payment whereof, well and truly to be made to the  
said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and  
administrators, jointly and severally, firmly by these presents. And we hereby waive the benefit of our home-  
stead exemption as to this obligation, and any claim or right to discharge any liability to the Commonwealth,  
arising under this bond or by virtue of said office, post or trust, with coupons detached from the bonds of this  
State. Sealed with our seals, and dated this 15th day of October one  
thousand ~~nine~~ <sup>nine</sup> hundred and ~~ninety~~ <sup>four</sup>.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas E. M. Cooper

has been appointed by the Circuit Court of Lee County  
Guardian for M. B. Reese, Bessie Reese H. R. E.  
Reese

now if the E. M. Cooper  
shall faithfully discharge his duties as said guardian according to the law, then this obligation to be  
void, or otherwise remain in full force and virtue.

E. M. Cooper [SEAL.]

E. H. Cecil [SEAL.]

[SEAL.]

[SEAL.]

[SEAL.]

In the Circuit Court of the County of Lee, the 15th day of October 1904

This bond was executed and acknowledged in open Court, by the obligors, and ordered to be recorded

E. H. Cecil

the surety therein having first justified on oath that his estate, after the payment of all his  
just debts, and those for which he is bound as security for others and expect to have to pay is  
worth the sum of Three hundred dollars, over and above  
all exemptions allowed by law.

Teste:

J. H. Ewing, Clerk.



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*E. M. Crofer*

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to }

GUARDIAN BOND.

*for \$300.00*

Commonwealth.

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The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

<sup>again</sup>  
WE COMMAND YOU, That you summon M. B. Reese, E. H. M. Reese  
Bessie Reese, W. R. E. Reese infants under the age  
of 21 years, Rebecca A. Garrison and L. E. Reese

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held  
for the said court, on the 3rd Monday in October 1892, to answer a  
bill in chancery exhibited against them in our said court by E. M. Cooper  
Guardian for M. B. Reese, E. H. M. Reese, Bessie  
Reese and W. R. E. Reese

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the  
court-house, the 15th day of October 1892, and in the 12<sup>th</sup> year of the  
Commonwealth.

A. B. Munsey Clerk



E. M. Cooper Guard

vs. {

SUBPOENA

IN CHANCERY

M. B. Reese et als

Bullitt Kelly & Hull  
& B. H. Sewell p. q.

To 2<sup>nd</sup> October Rules.

1902. Circuit Court.

Legal service of the within  
is accepted this Oct 17<sup>th</sup>  
1902.

Rebecca A. Garrison  
Bessie Reese



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon M. B. Reese, E. H. M. Reese, Bessie Reese, W. R. E. Reese infants under the age of 21 years, Rebecca A. Garrison, and L. E. Reese,

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1st Monday in October, 1902, to answer a bill in chancery exhibited against Them in our said court by

E. M. Cooper Guardian for M. B. Reese E. H. M. Reese, Bessie Reese and W. R. E. Reese

And have then there this writ, Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 24<sup>th</sup> day of September 1902, and in the 127<sup>th</sup> year of the Commonwealth.

A. B. Munsey, Clerk.



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vs.    {    SUBPOENA  
         {    IN CHANCERY.

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p. q.

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To ..... Rules.

..... Court.

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The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon M. B. Reese, E. H. M. Reese, Bessie Reese, W. R. E. Reese infants under the age of 21 years, Rebecca A. Garrison, and L. E. Reese

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1<sup>st</sup> Monday in October 1902, to answer a bill in chancery exhibited against Them in our said court by E. M. Leoper Guardian for M. B. Reese E. H. M. Reese, Bessie Reese and W. R. E. Reese

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 24<sup>th</sup> day of September, 1902, and in the 127<sup>th</sup> year of the Commonwealth.

A. B. Munsey, Clerk.



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vs.

}

SUBPOENA  
IN CHANCERY.

---

p. q.

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To Rules.

Court.

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The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon M. B. Reese, E. H. M. Reese, Bessie Reese, W. R. E. Reese infants under the age of 21 years, Rebecca A. Garrison and L. E. Reese,

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1<sup>st</sup> Monday in October, 1902, to answer a bill in chancery exhibited against them in our said court by E. M. Cooper Gaudian for M. B. Reese, E. H. M. Reese, Bessie Reese, and W. R. E. Reese

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 24<sup>th</sup> day of September, 1902, and in the 127<sup>th</sup> year of the Commonwealth.

A. B. Munsey, Clerk.



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vs.

}

SUBPOENA  
IN CHANCERY.

---

p. q.

---

To Rules.

Court.

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The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon M. B. Reese, E. H. M. Reese, Bessie Reese, W. R. E. Reese infants under the age of 21 years, Rebecca A. Garrison and L. E. Reese

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1st Monday in October 1902, to answer a bill in chancery exhibited against them in our said court by E. M. Cooper Guardian for M. B. Reese, E. H. M. Reese, Bessie Reese, W. R. E. Reese

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 24<sup>th</sup> day of September, 1902, and in the 127<sup>th</sup> year of the Commonwealth.

A. B. Munsey, Clerk.



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vs.

}

SUBPOENA  
IN CHANCERY.

---

p. q.

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To Rules.

Court.,

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The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon M. B. Reese, E. H. M. Reese, Bessie Reese, W. R. E. Reese infants under the age of 21 years, Rebecca A. Garrison and L. E. Reese

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1<sup>st</sup> Monday in October 1902, to answer a bill in chancery exhibited against them in our said court by E. M. Cooper Guardian for M. B. Reese, E. H. M. Reese <sup>Bessie Reese</sup> and W. R. E. Reese

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 24<sup>th</sup> day of September 1902, and in the 127<sup>th</sup> year of the Commonwealth.

A. B. Munsey, Clerk.



Executed - October 10<sup>th</sup> 1902 by  
delivering a true copy of the within summons to  
Bessie Reese; And Rebecca A. Garrison in  
person the remaining ones is not residents  
of Va. October 17<sup>th</sup> 1902

W.D. Robbins, Dep't.

for W. J. Maham & L.C.

Robbins

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E. M. Cooper Guardian

vs. }

SUBPOENA

IN CHANCERY.

M. B. Reese et als

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Bullitt, Kelly & Hull  
vs B. H. Sewell p. q.

---

To/et October Rules.

1902. Circuit Court.

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In the Clerk's Office of the Circuit Court of the County of  
Lee

E. M. Cooper Guardian for M. B. Reese, E. H. M.  
Reese, Bessie Reese and W. R. E. Reese

Plaintiff

against

M. B. Reese, E. H. M. Reese, Bessie  
Reese, W. R. E. Reese infants under the  
age of 21 years. Rebecca Garrison & L. E. Reese

Defendants

*In Chancery*

This day

B. H. Sewell

personally appeared

before me

A. B. Munsey

Clerk of the said Court,

and being duly sworn, made oath that

M. B. Reese, E. H. M. Reese, W. R. E.  
Reese and L. E. Reese

defendant in the said suit are not residents of the State of Virginia,

Given under my hand as Clerk of the said Court, this 24<sup>th</sup> day of September 1902

A. B. Munsey Clerk



*E. M. Cooper Guardoe*

vs.

}

AFFIDAVIT FOR ORDER

OF

PUBLICATION.

*M. B. Reese et als*  
*Bullitt Kelly & Hull*  
*+ B. H. Sewell* p. q.



In the Clerk's Office of the Circuit Court of the County of  
Lee on the 24<sup>th</sup> day of September 1902  
E. M. Cooper, Guardian for M. B. Reese, E. H. M.  
Reese, Bessie Reese and W. R. E. Reese

Plaintiff

against

In Chancery

M. B. Reese, E. H. M. Reese, Bessie Reese, W. R. E. Reese  
Rebecca Garrison<sup>3d</sup> L. E. Reese Defendant S

The object of this suit is to Sell the undivided one sixth interest of  
each of the said M. B. Reese, E. H. M. Reese, Bessie Reese  
and W. R. E. Reese, in the tract of land lying in the  
Crab Orchard Lee County Virginia, Containing 24<sup>60</sup>/<sub>100</sub>  
acres, in the bill in said Cause mentioned and  
described, and the money arising therefrom loaned  
or invested in other property for them

And an affidavit having been made and filed that the defendants M. B. Reese, E. H. M. Reese,  
W. R. E. Reese, and L. E. Reese  
are not residents of the State of Virginia, it is ordered that they do appear here within fifteen days  
after due publication hereof, and do what may be necessary to protect their interest in this suit. And  
it is further ordered that a copy hereof be published once a week for four weeks in the South-West  
Virginian, and that a copy be posted at the front door of the court-house of this County  
on the first day of the next term of the County Court.

Bullitt Kelly & Full A copy—Teste:  
and B. H. Sewell

p. q.

A. B. Munsey Clerk.



E. M. Cooper Guard &c

vs. {

ORDER OF  
PUBLICATION.M. B. Reese et al

Virginia Lee county to-wit;

I A.B. Munsey clerk of the circuit court for Lee county do hereby certify that I posted a true copy of the within order of publication at the front door of the court-house of Lee county on the first day of the October term of the county court of of said county.

Given under my hand this the 20<sup>th</sup> day of October 1902.

A. B. Munsey Clerk.



**CERTIFICATE OF  
ORDER OF PUBLICATION.**

We, C. S. Cox and C. R. Sprinkle,  
Editors of the SOUTHWEST VIRGINIAN,  
a weekly newspaper published at Jones-  
ville, Lee county, Virginia, do hereby  
certify that the annexed notice was  
published in said paper once a week  
for four successive weeks, commenc-  
ing on the 25<sup>th</sup> day of

September 1902

C. S. Cox

C. R. Sprinkle

EDITORS.

FEE, \$ 8.20.

**ORDER OF PUBLICATION.**

VIRGINIA—In the Clerk's Office of  
the Circuit Court of the County of  
Lee on the 24th day of September, 1902.

E. M. Cooper, Guardian }  
for M. B. Reese, E. H. }  
M. Reese, Bessie Reese }  
and W. R. E. Reese Pl'ff. }

vs.

M. B. Reese, E. H. M. }  
Reese, Bessie Reese, W. }  
R. E. Reese, Rebecca A. }  
Garrison and L. E. Reese }  
Def'ts. }

In Chancery.

The object of this suit is to sell the  
undivided one sixth interest of each of  
the said M. B. Reese, E. H. M. Reese,  
Bessie Reese, and W. R. E. Reese in the  
tract of land lying in the Crab Orchard  
Lee County Virginia, containing 24.60 a-  
cres, in the bill in said cause mentioned  
and described, and the money arising  
therefrom loaned or invested in other prop-  
erty for them. And an affidavit having  
been made and filed that the defendants  
M. B. Reese, E. H. M. Reese, W. R. E.  
Reese and L. E. Reese are not residents  
of the State of Virginia, it is ordered  
that they do appear here within fifteen  
days after due publication hereof, and  
do what may be necessary to protect  
their interest in this suit. And it is further  
ordered that a copy hereof, be published  
once a week for four weeks in the South-  
west Virginian, and that a copy be posted  
at the front door of the court-house of this  
County on the first day of the next term of  
the County Court. A copy—Teste:

A. B. MUNSEY, Clerk.

Bullitt, Kelly & Hull }  
and }  
B. H. Sewell, }

p. q.

462502



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E. M. Cooper Guards  
vs. { Du Clay.  
M. B. Ruse et al

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